

The opinion in support of the decision being entered today
is not binding precedent of the Board.

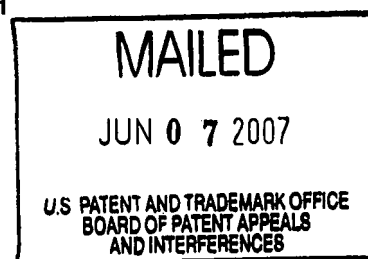
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HIROSHI NEMOTO and KENSHIN KITOH

Appeal No. 2006-3113
Application 09/997,604

ORDER REMANDING TO THE EXAMINER



This application was electronically received in at the Board of Patent Appeals and Interferences (BPAI) on May 19, 2006. A Docketing Notice was mailed and Appeal Number 2006-3113 was assigned on August 28, 2006.

A review of the application has revealed that a new Information Disclosure Statement (IDS) was scanned into the electronic file and available for viewing by the Board of Patent Appeals and Interferences on December 29, 2006. It is not apparent from the record that the examiner has considered the statement submitted nor notified applicant of why the submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Appeal No. 2006-3113
Application No. 09/997,604

Accordingly, the application is remanded to the examiner for consideration of this
IDS and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
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